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PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/705,989	
	Filing Date	November 12, 2003	
	First Named Inventor	Lilip Lau	
	Art Unit	3736	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission		Attorney Docket Number	PARCR 65989

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Postcard 3 References
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	24201	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	FULWIDER PATTON LEE & UTECHT, LLP		
Signature	<i>John Nagy</i>		
Printed name	JOHN S. NAGY, ESQ.		
Date	June 19, 2005	Reg. No.	30,664

CERTIFICATE OF TRANSMISSION/MAILING

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Signature	<i>John Nagy</i>		
Typed or printed name	JOHN S. NAGY, ESQ.	Date	June 29, 2005

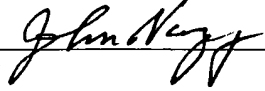
This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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John S. Nagy, Reg. No. 30,664



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/705,989
Applicant : Lilip Lau, William M. Hartigan
Filed : November 12, 2003
Art Unit : 3736
Examiner : Unassigned
Title : EXPANDABLE CARDIAC HARNESS FOR TREATING
CONGESTIVE HEART FAILURE

Docket No.: : PARCR 65989
Customer No. : 24201

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Commissioner for Patents
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SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

The documents listed on the enclosed Form PTO/SB/08a have come to the attention of Applicant and are submitted to the Office under 37 C.F.R. § 1.97(b)(3) and §1.98(d). A copy of each of the three articles which were not cited on any of the Information Disclosure Statements which were previously submitted to the Patent Office is enclosed. This Information Disclosure Statement is being submitted to correct the publication dates of all the U.S. Patent Documents by including the four-digit year, to include the name of the inventor(s) for each of the listed U.S. applications, and to submit


additional art which has come to the attention of Applicant. It is respectfully requested that the Information Disclosure Statement references now be considered.

This application is a continuation of U.S. Serial No. 09/952,116 which issued as U.S. Patent No. 6,663,558 on December 16, 2003, which is a continuation of U.S. Serial No. 09/634,043 filed August 8, 2001 which issued as U.S. Patent No. 6,702,732 on March 9, 2004.

Applicants believe that this Information Disclosure Statement has been filed before the mailing date of a first Office action on the merits in accordance with 37 C.F.R. § 1.97(b)(3) and therefore, no fee is due. However, if a fee is in fact due the Commissioner is authorized to charge our Deposit Account No. 06-2425. A duplicate of this paper is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By: 
John S. Nagy
Registration No. 30,664

JSN:jeb

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 14

Complete if Known

Application Number	10/705,989
Filing Date	November 12, 2003
First Named Inventor	Lilip Lau
Art Unit	3736
Examiner Name	Unassigned
Attorney Docket Number	PARCR 65989

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		2,278,926		04/07/1942	Hartwell	
		2,826,193		03/11/1958	Vineberg	
		3,464,322		09/02/1969	Pequignot	
		3,513,836		05/26/1970	Sausse	
		3,587,567		06/28/1971	Schiff	
		3,613,672		10/19/1971	Schiff	
		3,966,401		06/29/1976	Hancock et al.	
		3,983,863		10/05/1976	Janke et al.	
		3,988,782		11/02/1976	Dardik et al.	
		4,011,947		03/15/1977	Sawyer	
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		4,065,816		01/03/1978	Sawyer	
		4,108,161		08/22/1978	Samuels et al.	
		4,192,293		03/11/1980	Asrican	
		4,211,325		07/08/1980	Wright	
		4,261,342		04/14/1981	Aranguren Duo	
		4,306,318		12/22/1981	Mano et al.	
		4,372,293		02/08/1983	Vijil-Rosales	
		4,403,604		09/13/1983	Wilkinson et al.	
		4,428,375		01/31/1984	Ellman	
		4,512,471		04/23/1985	Kaster et al.	
		4,536,893		08/27/1985	Parravicini	
		4,545,783		10/08/1985	Vaughn	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)				
		FR	2 527 435		12/02/1983	Serreaus		
		SU	1009457		04/07/1983	Kulik		
		GB	2 115 287 A		09/07/1983	Sharma		
		JP	60-203250		10/14/1985	Unknown		
		GB	2 209 678 A		05/24/1989	Evans		
		DE	3831 540 A1		04/06/1989	Evans		
		JP	1-145066		06/07/1989	Unknown		
		JP	1-271829		10/30/1989	Kogyo		
		EPO	0 370 931 A1		05/30/1990	Perrotin		

Examiner Signature		Date Considered	
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known					
Sheet		2		of		14			
				Application Number		10/705,989			
				Filing Date		November 12, 2003			
				First Named Inventor		Lilip Lau			
				Art Unit		3736			
				Examiner Name		Unassigned			
				Attorney Docket Number		PARCR 65989			
U.S. PATENT DOCUMENTS									
Examiner Initials*	Cite No ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
		Number	Kind Code ² (if known)						
		4,628,937		12/16/1986	Hess et al.				
		4,630,597		12/23/1986	Kantrowitz et al.				
		4,665,906		05/19/1987	Jervis				
		4,690,134		09/01/1987	Snyders				
		4,697,703		10/06/1987	Will				
		4,750,619		06/14/1988	Cohen et al.				
		4,821,723		04/18/1989	Baker, Jr. et al.				
		4,827,932		05/09/1989	Ideker et al.				
		4,834,707		05/30/1989	Evans				
		4,838,288		06/13/1989	Wright et al.				
		4,840,626		06/20/1989	Linsky et al.				
		4,863,016		09/05/1989	Fong et al.				
		4,878,890		11/07/1989	Bilweis				
		4,936,857		06/26/1990	Kulik				
		4,957,477		09/18/1990	Lundback				
		4,960,424		10/02/1990	Grooters				
		4,973,300		11/27/1990	Wright				
		4,976,730		12/11/1990	Kwan-Gett				
		5,031,762		07/16/1991	Heacox				
		5,057,117		10/15/1991	Atweh				
		5,067,957		11/26/1991	Jervis				
		5,087,243		02/11/1992	Avitall				
FOREIGN PATENT DOCUMENTS									
Examiner Initials*	Cite No ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear		T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)					
		FR	2 645 739		10/19/1990	Mentzer et al.			
		PCT	WO 91/19465		12/26/1991	Frater			
		SU	1734767 A1		05/23/1992	Popov et al.			
		EP	0 280 564 B1		06/16/1993	Intermedics, Inc.			
		DE	38 31 540 C2		06/24/1993	Evans			
		PCT	WO 95/06447		03/09/1995	W.L. Gore & Associates			
		PCT	WO 96/04852		02/22/1996	Northrup			
		DE	295 17 393 U1		03/14/1996	Hohmann et al.			
		EP	0 583 012 B1		07/10/1996	Heilman et al.			
Examiner Signature						Date Considered			

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known		
				Application Number	10/705,989	
Sheet		3	of	14	Filing Date	November 12, 2003
					First Named Inventor	Lilip Lau
					Art Unit	3736
					Examiner Name	Unassigned
					Attorney Docket Number	PARCR 65989

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		5,098,369		03/24/1992	Heilman et al.	
		5,106,386		04/21/1992	Isner et al.	
		5,119,804		06/09/1992	Anstadt	
		5,131,905		07/21/1992	Grooters	
		5,150,706		09/29/1992	Cox et al.	
		5,169,381		12/08/1992	Snyders	
		5,186,711		02/16/1993	Epstein	
		5,190,546		03/02/1993	Jervis	
		5,192,314		03/09/1993	Daskalakis	
		5,197,978		03/30/1993	Hess	
		5,256,132		10/26/1993	Snyders	
		5,279,539		01/18/1994	Bohan et al.	
		5,290,217		03/01/1994	Campos	
		5,336,254		08/09/1994	Brennen et al.	
		5,344,442		09/06/1994	Deac	
		5,352,184		10/04/1994	Goldberg et al.	
		5,356,432		10/18/1994	Rutkow et al.	
		5,366,460		11/22/1994	Eberbach	
		5,383,840		01/24/1995	Heilman et al.	
		5,385,156		01/31/1995	Oliva	
		5,385,229		01/31/1995	Bittmann et al.	
		5,385,528		01/31/1995	Wilk	

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Examiner Initials*	Cite No ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)				
		PCT	WO 96/40356		12/19/1996	EP Technologies, Inc.		
		PCT	WO 97/20505		06/12/1997	Loma Linda University		
		PCT	WO 97/24101		07/10/1997	Melvin		
		EP	0 791 330 A3		08/27/1997	Cardiothoracic Systems		
		PCT	WO 98/03213		01/29/1998	Heartport, Inc.		
		PCT	WO 98/14136		04/09/1998	Acorn Medical, Inc.		
		PCT	WO 98/26738		06/25/1998	Hearten Medical, Inc.		
		PCT	WO 98/29041		07/09/1998	Myocor, Inc.		
		PCT	WO 98/58598		12/30/1998	Haindl		
		PCT	WO 99/11201		03/11/1999	Endocore, Inc.		

Examiner Signature	Date Considered
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		Number	Kind Code ² (if known)					
		5,405,360		04/11/1995	Tovey			
		5,429,584		07/04/1995	Chiu			
		5,460,962		10/24/1995	Kemp			
		5,433,727		07/18/1995	Sideris			
		5,456,711		07/18/1995	Hudson			
		5,500,015		03/19/1996	Deac			
		5,507,779		04/16/1996	Altman			
		5,509,428		04/23/1996	Dunlop			
		5,524,633		06/11/1996	Heaven et al.			
		5,533,958		07/09/1996	Wilk			
		5,534,024		07/09/1996	Rogers et al.			
		5,545,210		08/13/1996	Hess et al.			
		5,558,617		09/24/1996	Heilman et al.			
		5,571,215		11/05/1996	Sterman et al.			
		5,582,616		12/10/1996	Bolduc et al.			
		5,584,803		12/17/1996	Stevens et al.			
		5,593,424		01/14/1997	Northrup III			
		5,593,441		01/14/1997	Lichtenstein et al.			
		5,597,378		01/28/1997	Jervis			
		5,603,337		02/18/1997	Jarvik			
		5,607,477		03/04/1997	Schindler et al.			
		5,647,372		07/15/1997	Tovey et al.			
		5,647,380		07/15/1997	Campbell et al.			
		5,695,525		12/09/1997	Mulhauser et al.			
		5,702,343		12/30/1997	Alferness			
FOREIGN PATENT DOCUMENTS								
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		Office ³	Number ⁴	Kind ⁵ (if known)				
		EP	0 919 193 A1		06/02/1999	Ethicon Endo-Surgery		
		PCT	WO 99/30647		06/24/1999	Myocor, Inc.		
		PCT	WO 99/44534		09/10/1999	Melvin		
		PCT	WO 99/44680		09/10/1999	Abiomed, Inc.		
		PCT	WO 99/53977		10/28/1999	SciMed Life Systems		
		PCT	WO 99/56655		11/11/1999	Correstore, Inc.		
		PCT	WO 00/02500		01/20/1999	Acorn Cardiovascular		
		PCT	WO 00/06026		02/10/2000	Myocor, Inc.		
		PCT	WO 00/06027		02/10/2000	Mortier et al.		
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		5,713,954		02/03/1998	Rosenberg et al.	
		5,727,569		03/17/1998	Benetti et al.	
		5,749,839		05/12/1998	Kovacs	
		5,782,746		07/21/1998	Wright	
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Examiner Initials*	Cite No ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)				
		PCT	WO 00/06028		02/10/2000	Mortier, et al.		
		PCT	WO 00/13722		03/16/2000	SciMed Life Systems		
		PCT	WO 00/16700		03/30/2000	Myocor, Inc.		
		PCT	WO 00/18320		04/06/2000	Univ. of Cincinnati		
		PCT	WO 00/28912		05/25/2000	Acorn Cardiovascular		
		PCT	WO 00/28918		05/25/2000	Acorn Cardiovascular		
		PCT	WO 00/42919		07/25/2000	Buckberg et al.		
		PCT	WO 00/45735		08/10/2000	Acorn Cardiovascular		
		PCT	WO 00/48795		08/24/2000	Richebourg		

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known		
				Application Number	10/705,989	
Sheet		6	of	14	Filing Date	November 12, 2003
					First Named Inventor	Lilip Lau
					Art Unit	3736
					Examiner Name	Unassigned
					Attorney Docket Number	PARCR 65989

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Examiner Initials*	Cite No ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
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		Office ³	Number ⁴	Kind ⁵ (if known)				
		PCT	WO 00/62727		10/26/2000	Hearten Medical		
		PCT	WO 00/74769		12/14/2000	Johns Hopkins Univ.		
		PCT	WO 01/17437		03/15/2001	Cardiothoracic Systems		
		PCT	WO 01/21098		03/29/2001	Acorn Cardiovascular		
		PCT	WO 01/50981		07/19/2001	Acorn Cardiovascular		
		PCT	WO 01/67985		09/20/2001	Paracor Surgical		
		PCT	WO 01/85061		11/15/2001	Acorn Cardiovascular		
		PCT	WO 01/91667		12/06/2001	Cardioclasp, Inc.		
		PCT	WO 01/95830		12/20/2001	Acorn Cardiovascular		

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				Application Number	10/705,989
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				First Named Inventor	Lilip Lau
				Art Unit	3736
				Examiner Name	Unassigned
Sheet	7	of	14	Attorney Docket Number	PARCR 65989

U.S. PATENT DOCUMENTS						
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Examiner Initials*	Cite No ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)				
		PCT	WO 01/95831		12/20/2001	Acorn Cardiovascular		
		PCT	WO 01/95832		12/20/2001	Acorn Cardiovascular		
		PCT	WO 02/13726		02/21/2002	Acorn Cardiovascular		
		PCT	WO 02/19917		03/14/2002	Converge Medical		
		PCT	WO 03/026483		04/03/2003	The Foundry, Inc.		
		PCT	WO 03/026485		04/03/2003	The Foundry, Inc.		
		PCT	WO 03/026484		04/03/2003	The Foundry, Inc.		
		PCT	WO/0036995		06/29/2000	Corset Inc.		

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				First Named Inventor	Lilip Lau
				Art Unit	3736
				Examiner Name	Unassigned
				Attorney Docket Number	PARCR 65989
Sheet	8	of	14		

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				Application Number	10/705,989
				Filing Date	November 12, 2003
				First Named Inventor	Lilip Lau
				Art Unit	3736
				Examiner Name	Unassigned
				Attorney Docket Number	PARCR 65989
Sheet	9	of	14		

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				Group Art Unit	3736
				Examiner Name	Unassigned
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Substitute for form 1449B/PTO				Complete if Known	
				Application Number	10/705,989
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Filing Date	November 12, 2003
				First Named Inventor	Lilip Lau
				Group Art Unit	3736
				Examiner Name	Unassigned
				Attorney Docket Number	PARCR 65989
(use as many sheets as necessary)					
Sheet	11	of	14		

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				First Named Inventor	Lilip Lau
				Group Art Unit	3736
				Examiner Name	Unassigned
Sheet	12	of	14	Attorney Docket Number	PARCR 65989
OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS					
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				First Named Inventor	Lilip Lau
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				Examiner Name	Unassigned
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